

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MAR 13 AM 10:27

UNITED STATES OF AMERICA,

Plaintiff,

v.

Isuzzu LOPEZ-Narvaez,

Defendant

Magistrate Docket No.

'08 MJ0799

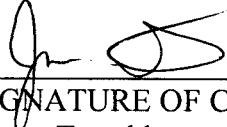
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **March 11, 2008** within the Southern District of California, defendant, **Isuzzu LOPEZ-Narvaez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **13th** DAY OF **MARCH 2008**



Anthony J. Battaglia
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Isuzzu LOPEZ-Narvaez****PROBABLE CAUSE STATEMENT**

On March 11, 2008, at approximately 2:20 P.M., Border Patrol Dispatch advised Agents of a seismic sensor activation near the area commonly known as "The Razorback." This area is approximately one eighth of a mile east of the San Ysidro, California, Port of Entry and one half mile north of the United States/Mexico international border. Border Patrol Agent M. Rosales responded to the area and found six individuals crouched down in some brush. Agent Rosales identified himself as a Border Patrol Agent, and conducted an immigration inspection. All six, including one later identified as the defendant **Isuzzu LOPEZ-Narvaez**, admitted to being citizens and nationals of Mexico illegally present in the United States. Agent Rosales arrested and transported all six subjects to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **January 17, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally.